

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

JIMMY LAMAR BERRY, )  
 )  
Petitioner, ) CIVIL ACTION NO.  
v. ) 1:20cv585-MHT  
 ) (WO)  
STATE OF ALABAMA, )  
 )  
Respondent. )

ORDER

Before the court is petitioner's motion to stay proceedings in this habeas action pending his exhaustion of his available state-court remedies. The court directed respondent to file a response to petitioner's motion to stay, and respondent filed a response stating it has no objection to the motion.

*See Response to Motion to Stay (Doc. 14).\**

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\* In addition, in his response to respondent's answer and supplemental answer, petitioner reasserted his request to stay the proceedings to allow him to exhaust his available state court remedies. See Response to Answer and Supplemental Response (Doc. 19) at 4-5. And, again, respondent did not note an objection to petitioner's reasserted request for a stay.

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Accordingly, it is hereby ORDERED that:

(1) Petitioner's motion to stay proceedings (Doc. 12) is granted.

(2) The proceedings before this court are stayed pending petitioner's exhaustion of his available state-court remedies.

(3) Beginning on October 5, 2022, the parties shall file a joint status report on the first Tuesday of April and October thereafter concerning the status of petitioner's state-court proceedings and continue to do so until petitioner has exhausted his state-court remedies.

The clerk of court is DIRECTED to close this case administratively.

DONE, this the 21st day of September, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE